

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION**

CASEY BENDURE,

Plaintiff,

v.

STAR TARGETS, JUSTIN  
HARDY, TLD INDUSTRIES LLC,  
CABELA'S WHOLESALE, INC.,  
ROLLING THUNDER  
PYROTECHNIC, CORP. and  
MACRAFT USA, LLC

Defendants.

CV 14-89-BLG-SPW-CSO

**FINDINGS AND  
RECOMMENDATION OF  
U.S. MAGISTRATE JUDGE**

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TDL INDUSTRIES LLC,

Third-Party Plaintiff,

v.

ROLLING THUNDER  
PYROTECHNIC, CORP. and  
MACRAFT USA,

Third-Party Defendants

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At the status hearing held on October 8, 2015, a discussion was held concerning claims against Defendants Rolling Thunder Pyrotechnic Corp. ("Rolling Thunder") and Macraft USA ("Macraft") in Plaintiff Casey Bendure's Second Amended Complaint. In the course of

the discussion, counsel for Plaintiff moved to dismiss Rolling Thunder and Macraft without objection from counsel for Defendants Star Targets, Justin Hardy, TLD Industries LLC, or Cabela's Wholesale, Inc. Neither Rolling Thunder nor Macraft appeared at the hearing.

Accordingly, IT IS RECOMMENDED that Plaintiff's motion be granted and that all claims stated in the Second Amended Complaint against Rolling Thunder and Macraft be DISMISSED without prejudice.

NOW, THEREFORE, IT IS ORDERED that the Clerk shall serve a copy of the Findings and Recommendation of the United States Magistrate Judge upon the parties. The parties are advised that pursuant to 28 U.S.C. § 636, any objections to the findings and recommendations must be filed with the Clerk of Court and copies served on opposing counsel within fourteen (14) days after entry hereof, or objection is waived.

DATED this 8<sup>th</sup> day of October, 2015.

/s/ Carolyn S. Ostby  
United States Magistrate Judge